SINGLE BENCH 1

(4)

CF1202

IN THE HIGH COURT OF CHHATTISGARH
AT BILASPUR

W.P. (S) No. 963/2007

PETITIONER :: Smt. Purnima Sao, W/o. Shri Naresh Kumar Sao, aged about 33 years, Occupation Assistant Teacher-Primary School, Sasatoli, Block Tilda, District Raipur, R/o. Jal Sansadhan Colony, Tilda, Block Tilda, District Raipur (C.G.)

F.R. is 12/10/07
Presented by Shri Mafraja Alam
on 12/12/07

VERSUS

RESPONDENTS :1) State Of Chhattisgarh, Through Secretary, Department of School Education, DKS Bhavan Mantralaya, Raipur (C.G.)

:2) District Education Officer, Raipur (C.G.)

:3) The Block Education Officer Tilda District Raipur (C.G.)

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WRIT PETITION UNDER ARTICLES 226
OF THE CONSTITUTION OF INDIA

1 PARTICULARS OF THE

(51)

HIGH COURT OF CHHATTISGARH AT BILASPUR

W. P.(S) No. 963 of 2007

Petitioner : Smt. Purnima Sao

Versus

Respondents : State of Chhattisgarh and others

SB: Hon'ble Mr. Justice Satish K. Agnihotri, J

Present: Mr. Mahrooz Alam, Advocate for the petitioner.

Mr. Satish Gupta, Dy. Govt. Advocate for the respondents/State.

O R D E R

(Passed on this 20th Day of February, 2007)

6. The petitioner was appointed vide order dated 31.12.93 (P/2) as Assistant Teacher on fixed pay scale of Rs. 1200/-. After completion of two years probation, she was granted regular pay scale.

7. Learned counsel appearing for the petitioner submits that the issue involved in the case is asto whether the petitioner is entitled to regular pay scale w.e.f. the date of initial appointment or after completion of probation period.

8. The issue involved, herein was considered by the Madhya Pradesh State Administrative Tribunal, Jabalpur in O.A. No. 2745/89 (Madhukant Yadu and 56 others Vs. State of M.P. & others), wherein it was held that the similarly situated teachers are entitled to regular pay scale w.e.f. the date of initial appointment. The matter was taken-up to the Hon'ble Supreme Court in Special Leave Petition (Civil) No. 6892/93. The said petition was dismissed by the Hon'ble Supreme Court upholding the decision of the Tribunal to the effect

52

that the Teachers/Assistant Teachers are entitled to regular pay scale from date of initial appointment.

4. Learned counsel appearing for the petitioner further submits that this Court, while considering the same issue in Aeman Jain Vs. The State Government of Chhattisgarh & another (W.P. No. 1463 of 2006) by order dated 10.11.2006, has granted regular pay scale w.e.f. the date of initial appointment.

5. Learned counsel appearing for the parties jointly submit that this case is squarely covered by the decision of this Court in the case of Aeman Jain Vs. The State Government of Chhattisgarh & another (Supra).

6. In view of that, this petition is disposed of in the same terms. No order as to costs.

Sd/-
Satish K.Agnihotri
Judge

Bablu